

REMARKS

Favorable reconsideration of this application is respectfully requested in light of the following remarks. Claims 1-10 are the claims addressed in the Amendment. Claims 1-3 and 10 have been amended to remove minor informalities.

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,029,761 to *Bechler*. However, *Bechler* fails to disclose the patentable features of independent Claims 1 and 10.

A disclosed, non-limiting embodiment of the present invention pertains a tip holder and a method of mounting a tip holder to an outflow opening of a rotor of a vertical shaft impact crusher. The rotor comprises a vertical rotor wall segment having a first wall portion being substantially tangential in relation to the rotor and a second wall portion being angled in relation to said first wall portion. The tip holder comprises a holding part for holding a wear tip and a fastening means attached to the holding part. The fastening means extends along the first wall portion and through the second wall portion from one side thereof. A fixing means is detachably fixable to the fastening means at the other side of the second wall portion. These features are provided in independent Claims 1 and 10. However, none of the art of record disclose these patentable features.

Bechler pertains to a liner wear plate for a vertical shaft impactor rotor that includes one wear resistant insert disposed in the liner along a path of wear. With reference to Fig. 3, a series of vertically oriented partitions are spaced around the rotor 16. Each partition 94 includes an arcuate circumferential or peripheral plate 98, a generally radial plate 100 and a curved pocket floor plate 102. The three elements 98, 100 and 102 are preferably integrally formed. See column 3, lines 28-40. The leading edge of the arcuate plate 98 is provided with a wear resistant bar 109 attached thereto by at least one bolt 110 in a bolt hole 111. The wear resistant bar includes a piece of hard wear resistant material 114 attached thereto.

In the Official Action, the Examiner equates the fastening means to the bolt hole 111. However, it is difficult to ascertain as to how a bolt hole 111 can be considered a fastening means within the scope of the present invention. Moreover, the fastening means is further described in the claim as extending along the first wall portion and through the second wall portion from one side thereof. In contrast, the bolt hole 11 does not extend along the first wall portion and through the second wall portion, nor does *Bechler* disclose any feature that would meet this recitation. Accordingly, *Bechler* fails to disclose the patentable features of independent Claims 1 and 10.

For at least the foregoing reasons, it is submitted the tip holder and method as defined in independent Claims 1 and 10, and the claims depending therefrom, are patentably distinguishable over the applied document. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in solving any remaining issues pertaining to this application, the undersigned respectfully requests that she should be contacted at the number indicated below.

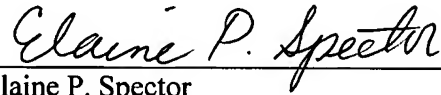
It is believed that no fees are due with this submission. However, should this be incorrect, please charge Deposit Account No. 50-0573.

Respectfully submitted,

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By:


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